

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 29 NOV 2007

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Applicant's or agent's file reference 020529-9123	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US04/01760	International filing date (day/month/year) 23 January 2004 (23.01.2004)	Priority date (day/month/year) 24 January 2003 (24.01.2003)
International Patent Classification (IPC) or national classification and IPC IPC: B60J 1/04 (2006.01); 7/00 92006.01; B62D 21/00 (2006.01) USPC: 296/203.01, 181.2, 901.01, 193.09, 203.02; 180/65.5		
Applicant CLUB CAR, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of ___ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 24 August 2004 (24.08.2004)	Date of completion of this report 18 October 2007 (18.10.2007)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/ US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer Kiran B. Patel Telephone No. 571-272-3600

Form PCT/IPEA/409 (cover sheet)(July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US04/01760

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-12 as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____.
- ☒ the claims:
pages 1-9 as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____.
- ☒ the drawings:
pages 1-17 as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US04/01760**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>1-58,60 and 61</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-58,60 and 61</u>	NO
Industrial Applicability (IA)	Claims <u>1-58,60 and 61</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

The present application does not meet the criteria of Article 33(3) PCT, because the subject-matter of claims 1-58, 60-61 does not involve an inventive step in the sense of Article 33(3) PCT.

Referring to claim 1, EP0438546B is regarded as being the closest prior art to the subject-matter of claim 1, and discloses: a car comprising a frame (1) a composite body assembly (11) mounted on the frame and configured to increase rigidity of the frame, the composite body assembly including: a front body section (Fig 1b) including at least two molded panels (12, 13) connected together so as to form a clam shell assembly; the molded panels each being formed of a fiber-reinforced polymer (Claim 13); and a rear body section formed of a molded fiber-reinforced polymer (implicit).

The problem to be solved by the present invention may therefore be regarded as applying the same technology on another type of vehicle such as a golf car. The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step for the following reasons: being known from EP0438546B to have a car frame on which a composite molded plastic body is to be mounted, is not regarded as inventive to have different dimensions of this body because it is logic to create such body according to the dimensions and design of another vehicle.

The same reasoning applies to the subject-matter of the corresponding independent claims 17, 32, 42, and 45, which therefore are also considered not inventive. The dependent claims do not contain any features which, in combination with the features of any claim which they refer, meet the requirements of the PCT in respect of an inventive step. They only refer to small details or to straightforward possibilities which do not seem to solve a particular problem. Claims 1, 17, 32, 42, 45 have been drafted as separate independent claims, they appear to relate effectively to same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack coincidence and as such do not meet requirements of Article 6 PCT.